

**DECLARATION FOR NON-PROVISIONAL PATENT APPLICATION AND POWER  
OF ATTORNEY**

As a below named inventor, I hereby declare that:

My residence, post office and citizenship are as stated below beneath my name.

I believe I am the original, first and sole inventor if only one name is listed below or an original, first and joint inventor if plural names are listed below, of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**SYSTEM AND METHOD FOR OPTIMIZING TISSUE BARRIER TRANSFER OF  
COMPOUNDS**

And for which a patent application:

( ) is attached hereto and includes amendment(s) filed on  
(X) was filed in the United States on July 13, 2001 as Application No. 09/904,725  
( ) was filed as PCT International Application No. \_\_\_\_\_ on \_\_\_\_\_

I hereby state that I have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 (a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Earliest Foreign Application(s), if any, Filed Prior to the Filing Date of the Application

_____ Application No.	_____ Country	_____ Date of Filing	_____ Priority claim (Y or N)
_____ Application No.	_____ Country	_____ Date of Filing	_____ Priority claim (Y or N)
_____ Application No.	_____ Country	_____ Date of Filing	_____ Priority claim (Y or N)

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States Provisional Application listed below.

_____ 60/218,377 Provisional Appln No.	_____ 7/14/2000 Filing Date
_____ 60/220,324 Provisional Appln No.	_____ 7/24/2000 Filing Date
_____ 60/240,891 Provisional Appln No.	_____ 10/16/2000 Filing Date

Attorney Docket No.: TPIP004B

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code §112. I acknowledge the duty to disclose information known to me which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

Application No.	Filing Date	Status
Application No.	Filing Date	Status
Application No.	Filing Date	Status

**Power of Attorney:** As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith:

S. Leslie Misrock (Reg. No. 18872), Berj A. Terzian (Reg. No. 20060), David Weild, III (Reg. No. 21094), Jonathan A. Marshall (Reg. No. 24614), Barry D. Rein (Reg. No. 22411), Stanton T. Lawrence, III (Reg. No. 25736), Charles E. McKenney (Reg. No. 22795), Philip T. Shannon (Reg. No. 24518), Francis E. Morris (Reg. No. 24615), Charles E. Miller (Reg. No. 24576), Gidon D. Stern (Reg. No. 27469), John J. Lauter, Jr. (Reg. No. 27814), Brian M. Poissant (Reg. No. 28462), Brian D. Coggio (Reg. No. 27624), Rory J. Radding (Reg. No. 28749), Stephen J. Harbulak (Reg. No. 29166), Donald J. Goodell (Reg. No. 19766), James N. Palik (Reg. No. 25510), Thomas E. Friebe (Reg. No. 29258), Laura A. Coruzzi (Reg. No. 30742), Jennifer Gordon (Reg. No. 30753), Geraldine F. Baldwin (Reg. No. 31232), Victor N. Balancia (Reg. No. 31231), Samuel B. Abrams (Reg. No. 30605), Steven I. Wallach (Reg. No. 35402), Marcia H. Sundeen (Reg. No. 30893), Paul J. Zegger (Reg. No. 33821), Edmond R. Bannon (Reg. No. 32110), Bruce J. Barker (Reg. No. 33291), Adriane M. Antler (Reg. No. 32605), Thomas G. Rowan (Reg. No. 34419), James G. Markey (Reg. No. 31636), Thomas D. Kohler (Reg. No. 32797), Scott D. Stimpson (Reg. No. 33607), Gary S. Williams (Reg. No. 31066), Ann L. Gisolfi (Reg. No. 31956), Todd A. Wagner (Reg. No. 35399), Scott B. Familant (Reg. No. 35514), Kelly D. Talcott (Reg. No. 39583), Francis D. Cerrito (Reg. No. 38100), Anthony M. Insogna (Reg. No. 35203), Brian M. Rothery (Reg. No. 35340), Brian D. Siff (Reg. No. 35679), Alan Tenenbaum (Reg. No. 34939), Michael J. Lyons (Reg. No. 37386), Garland T. Stephens (Reg. No. 37242), and William J. Sipio (Reg. No. 34514), all of Pennie & Edmonds LLP (PTO Customer No. 24341) and John M. Lucas, (Reg. No. 43,373).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

## Received Event (Event Succeeded)

Date: 4/21/2003

Time: 9:49 AM

Pages: 4

Duration: 1 min 34 sec

Sender:

Company:

From: Michael J. Cima  
OCT. 19. 2003 8:48AM TRANSFORM PHARMA

Subject: NO. 573 P. 4

Name of

First/Sole Inventor: Michael J. Cima

Residence (City, State): Winchester

Citizenship: USA

Post Office

Address: 184 Mystic Valley Parkway, Winchester, MA 01890

Signature: 

Date: April 21, 2003

Name of

Second/Joint Inventor: Hongming Chen

Residence (City, State): Arlington

Citizenship: China

Post Office

Address: 276 Massachusetts Avenue #412, Arlington, MA 02474

8 Sawmill Road, Acton, MA 01720  
HL 4/18/03Signature: 

Date: 4/18/03

Name of

Third/Joint Inventor: J. Richard Gyory

Residence (City, State): Sudbury

Citizenship: USA

Post Office

Address: 10 Curry Lane, Sudbury, MA 01776

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Name of

Fourth/Joint Inventor: Anthony V. Lemmo

Residence (City, State): Sudbury

Citizenship: USA

Post Office

Address: 1 Washington Drive, Sudbury, MA 01776

Signature: 

Date: 4/17/03

Attorney Docket No.: TPIP004B

Name of  
First/Sole Inventor: Michael J. Cima

Residence (City, State): Winchester Citizenship: USA

Post Office  
Address: 184 Mystic Valley Parkway, Winchester, MA 01890

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Name of  
Second/Joint Inventor: Hongming Chen

Residence (City, State): Arlington Citizenship: China

Post Office  
Address: 276 Massachusetts Avenue #412, Arlington, MA 02474

Signature: \_\_\_\_\_ Date: 4/17/03

Name of  
Third/Joint Inventor: J. Richard Gyory

Residence (City, State): Sudbury Citizenship: USA

Post Office  
Address: 10 Curry Lane, Sudbury, MA 01776

Signature: [Signature] Date: 4/17/03

Name of  
Fourth/Joint Inventor: Anthony V. Lemmo

Residence (City, State): Sudbury Citizenship: USA

Post Office  
Address: 3 Washington Drive, Sudbury, MA 01776

Signature: [Signature] Date: 4/17/03

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s) : Michael J. Cima et al.

Group Art Unit: 1614

App. No. : 09/904,725

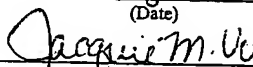
Filed : July 13, 2001

For : System and Method for  
Optimizing Tissue Barrier  
Transfer of Compounds

I hereby certify that this correspondence and all  
marked attachments are being deposited with the  
United States Postal Service as first class mail in  
an envelope addressed to: Assistant Commissioner  
for Patents, PO Box 1450, Alexandria, VA 22313-  
1450, on

May 22, 2003

(Date)

  
Jacquie M. Vo

Examiner : Unknown

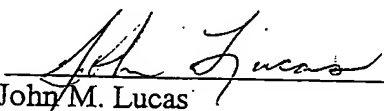
**TRANSMITTAL OF REVOCATION OF POWER AND NEW POWER OF  
ATTORNEY**

Mail Stop  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Applicant respectfully submits a Revocation of Power of Attorney and New  
Power of Attorney for the above-referenced application.

Should the Examiner have any questions regarding this matter he is invited to  
telephone the undersigned so that the question may be resolved.

  
John M. Lucas  
Registration No. 43,373  
Transform Pharmaceuticals, Inc.  
(781) 674-7852 ph

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Michael J. Cima et al.

Group Art Unit: 1614

App. No. : 09/904,725

Filed : July 13, 2001

For : **SYSTEM AND METHOD FOR  
OPTIMIZING TISSUE BARRIER  
TRANSFER OF COMPOUNDS**

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on

May 23, 2003

(Date)

Jacqueline M. Vu

Examiner : Unknown

---

**REVOCATION AND NEW POWER OF ATTORNEY BY ASSIGNEE AND  
EXCLUSION OF INVENTOR(S) UNDER 37 CFR 3.71 WITH STATEMENT UNDER 37  
CFR 3.73 (b)**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

Transform Pharmaceuticals, Inc., the assignee of the entire right, title, and interest in the above-captioned application, hereby revokes all previous Powers of Attorney, and hereby appoints as its attorneys and agents: John M. Lucas, Reg. No. 43,373 of Transform Pharmaceuticals, Inc.; David R. Saliwanchik, Reg. No. 31,794; Jeff Lloyd, Reg. No. 35,589; Doran R. Pace, Reg. No. 38,261; Jay M. Sanders, Reg. No. 39,355; Jean Kyle, Reg. No. 36,987; James S. Parker, Reg. No. 40,119; Frank C. Eisenschenk, Reg. No. 45,332; Glenn P. Ladwig, Reg. No. 46,853; Margaret Efron, Reg. No. 47,545; Gwendolyn L. Daniels, Reg. No. 51,594; John M. Sanders, Reg. No. 30,126, whose addresses are 2421 N.W. 41<sup>st</sup> Street, Suite A-1, Gainesville, FL 32606-669, all of Saliwanchik, Lloyd & Saliwanchik, Customer ID Number 23,557 with full power of substitution, association, and revocation, to prosecute said application and to transact all business in the United States Patent and Trademark Office connected therewith, said appointment to be to the exclusion of the inventors and their attorney(s) in

accordance with the provisions of 37 CFR 3.71, provided that, if any one of these attorneys ceases being affiliated with the law firm of Saliwanchik, Lloyd & Saliwanchik as a partner, counsel, or employee, then the appointment of that attorney and all powers derived therefrom shall terminate on the date such attorney ceases being so affiliated.

Please direct all correspondence to:

**Customer No. 23,557**  
Saliwanchik, Lloyd & Saliwanchik  
2421 N.W. 41<sup>st</sup> Street, Suite A-1  
Gainesville, FL 32606-6669

**Statement Under 37 CFR 3.73(b)**

Transform Pharmaceuticals, Inc. states that it is the assignee of the entire right, title, and interest in the patent application/patent identified above by virtue of an assignment filed July 13, 2001 and April 23, 2003. (copy enclosed)

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

ASSIGNEE:  
Transform Pharmaceuticals, Inc.

Dated: \_\_\_\_\_

5/23/03

By: \_\_\_\_\_



John M. Lucas, Reg. No. 43,373

Title: Vice President and Chief Patent Counsel

Address: 29 Hartwell Avenue

Lexington, MA 02421



7004.2/US  
UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

SEPTEMBER 28, 2001

PTAS



\*101792971A\*

PENNIE & EDMONDS LLP  
ANTHONY M. INSOGNA  
1155 AVENUE OF THE AMERICAS  
NEW YORK, NEW YORK 10036

10436-036-944

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 07/13/2001

REEL/FRAME: 012009/0040  
NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

CIMA, MICHAEL J. ✓

DOC DATE: 07/12/2001

ASSIGNOR:

CHEN, HONGMING ✓

DOC DATE: 07/12/2001

ASSIGNOR:

GYORY, J. RICHARD ✓

DOC DATE: 07/12/2001

ASSIGNEE:

TRANSFORM PHARMACEUTICALS, INC. ✓  
610 LINCOLN STREET  
WALTHAM, MASSACHUSETTS 02451

SERIAL NUMBER: 09904725 ✓  
PATENT NUMBER:

FILING DATE: 07/13/2001 ✓  
ISSUE DATE:

RECORDED  
INDEXED

0 2001  
REB-244  
OFFICE

REFERRED TO <u>Steven Ballard</u> REC'D
OCT 04 2001
Pennie & Edmonds O.K. for filing



012009/0040 PAGE 2

ALLYSON PURNELL, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

07-31-2001

Mail No. EL 501 640 613 US

07/13/01 R



101792971

Attorney Docket Number  
10436-036-999TO THE HONORABLE COMMISSIONER OF PATENTS AND TRADEMARKS  
Box Assignment  
Washington, DC 20231

Please record the attached original documents or copy thereof.

## 1. Name of conveying parties:

Michael J. Cima  
Hongming Chen  
J. Richard GyoryAdditional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

## 3. Nature of conveyance:

- ☒ Assignment ☐ Merger  
☐ Security Agreement ☐ Change of Name  
☐ Other \_\_\_\_\_

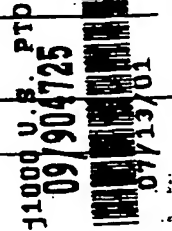
Execution Date: July 12, 2001

## 2. Name and address of receiving party:

Name: TransForm Pharmaceuticals, Inc.

Address: 610 Lincoln Street  
Waltham, MA 02451

Country (if other than USA): \_\_\_\_\_



## 4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: July 13, 2001

A. Patent Application No.(s) \_\_\_\_\_

B. Patent No.(s) \_\_\_\_\_

Additional numbers attached? ☐ Yes ☒ No

## 5. Name and address of party to whom correspondence concerning document should be mailed:

PENNIE & EDMONDS LLP  
1155 Avenue of the Americas  
New York, NY 10036

## 6. Number of applications and patents involved: One (1)

7. Total fee (37 CFR 3.41):.....\$ 40.00  
Please charge to the deposit account listed in Section 8.8. Deposit account number:  
16-1150

DO NOT USE THIS SPACE

## 9. Statement and signature.

*To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.*Anthony M. Insogna  
Name of Person Signing35.203  
Reg. No.

Signature

July 13, 2001  
Date

Total number of pages including cover sheet:

3

Mail documents to be recorded with required cover sheet information to:  
Commissioner of Patents & Trademarks, Box Assignment  
Washington, D.C. 20231

07/30/2001 LWELLER 00000671 161150 09904725

01 FC:581

40.00 CH

## ASSIGNMENT

WHEREAS, WE, Michael J. Cima, Hongming Chen, and J. Richard Gyory, ASSIGNORS, citizens of the United States, China, and the United States, residing at 184 Mystic Valley Parkway, Winchester, MA 01890, 276 Massachusetts Avenue, Arlington, MA 02474, and 10 Curry Lane, Sudbury, MA 01776, respectively, are the inventors of the invention in **SYSTEM AND METHOD OF OPTIMIZING TISSUE BARRIER TRANSFER OF COMPOUNDS** for which we have executed an application for a Patent of the United States

which is executed on            even date herewith

: which is identified by Pennie & Edmonds LLP docket no. 10436-036-999

and WHEREAS, TransForm Pharmaceuticals, Inc., ASSIGNEE is desirous of obtaining our entire right, title and interest in, to and under the said invention and the said application:

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to us in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, we, the said ASSIGNORS, have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said ASSIGNEE, its successors, legal representatives and assigns, our entire right, title and interest in, to and under the said invention, and the said United States application and all divisions, renewals and continuations thereof, and all Patents of the United States which may be granted thereon and all reissues and extensions thereof; and all applications for industrial property protection, including, without limitation, all applications for patents, utility models, and designs which may hereafter be filed for said invention in any country or countries foreign to the United States, together with the right to file such applications and the right to claim for the same the priority rights derived from said United States application under the Patent Laws of the United States, the International Convention for the Protection of Industrial Property, or any other international agreement or the domestic laws of the country in which any such application is filed, as may be applicable; and all forms of industrial property protection, including, without limitation, patents, utility models, inventors' certificates and designs which may be granted for said invention in any country or countries foreign to the United States and all extensions, renewals and reissues thereof;

AND WE HEREBY authorize and request the Commissioner of Patents and Trademarks of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents or other evidence or forms of industrial property protection on applications as aforesaid, to issue the same to the said ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND WE HEREBY covenant and agree that we have full right to convey the entire interest herein assigned, and that we have not executed, and will not execute, any agreement in conflict herewith.

AND WE HEREBY further covenant and agree that we will communicate to the said ASSIGNEE, its successors, legal representatives and assigns, any facts known to us respecting said invention, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing, reissue and foreign applications, make all rightful oaths, and generally do everything possible to aid the said ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper protection for said invention in all countries.

IN TESTIMONY WHEREOF, We hereunto set our hands and seals the day and year set opposite our respective signatures.

Date 7/12/01, 2001 Michael J. Cima L.S.  
Michael J. Cima

Commonwealth of Massachusetts  
County of Middlesex ) SS.:  
)

On July 12, 2001, before me, Melissa A. Katzapitzes, Notary Public, personally appeared Michael J. Cima, personally known to me on the basis of satisfactory evidence to be the person(s) whose name(s) is subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal -

Date 7/12/01, 2001 Hongming Chen L.S.  
Hongming Chen

Commonwealth of Massachusetts  
County of Middlesex ) SS.:  
)

On July 12, 2001, before me, Melissa A. Katzapitzes, Notary Public, personally appeared Hongming Chen, personally known to me on the basis of satisfactory evidence to be the person(s) whose name(s) is subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal

Date July 12, 2001 J. Richard Gyory L.S.  
J. Richard Gyory

Commonwealth of Massachusetts  
County of Middlesex ) SS.:  
)

On July 12, 2001, before me, Melissa A. Katzapitzes, Notary Public, personally appeared J. Richard Gyory, personally known to me on the basis of satisfactory evidence to be the person(s) whose name(s) is subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal

## RECORDATION FORM COVER SHEET

U.S. DEPARTMENT OF COMMERCE

(Rev. 6-93)

## PATENTS ONLY

Patent and Trademark Office

OMB No. 0651-0011 (exp. 4/94)

Attorney Docket: TPIP004B

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

## 1. Name of conveying party(ies):

Anthony V. Lemmo

Additional name(s) of conveying party(ies) attached? Yes ☒ No

## 3. Nature of conveyance:

☒ Assignment ☐ Merger

Execution Date(s): April 17, 2003

## 2. Name and address of receiving party(ies)

Name: Transform Pharmaceuticals, Inc.

Internal Address: Intellectual Property Department

Street Address: 29 Hartwell Avenue

City: Lexington State: MA ZIP: 02421

Additional name(s) & address(es) attached? Yes ☐ No ☒

## 4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: \*\*\*

A. Patent Application No.(s) 09/904,725

B. Patent No.(s)

Additional numbers attached? Yes ☐ No ☒

## 5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Transform Pharmaceuticals, Inc.

Internal Address: Intellectual Property Department

Street Address: 29 Hartwell Avenue

City: Lexington State: MA ZIP: 02421

## 6. Total number of applications and patents involved: 1

## 7. Total Fee (37 CFR 3.41) ..... \$ 40.00

☐ Enclosed☒ Authorized to be charged to deposit account

## 8. Deposit Account No.

50-2626

DO NOT USE THIS SPACE

## 9. Statement and signature

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

John M. Lucas

Name of person signing

  
Signature4/23/03  
Date

Total number of pages including cover sheet, attachments, and document: 3

## ASSIGNMENT

WHEREAS, I, **Anthony V. Lemmo**, ASSIGNOR, a joint inventor of the invention in **System and Method for Optimizing Tissue Barrier Transfer of Compounds** for which we have executed an application for a Patent of the United States.

[ X ] which is filed on July 13, 2001 as 09/904,725

[ X ] which is identified by docket no. TPIP004B.

and WHEREAS, TRANSFORM PHARMACEUTICALS, INC, having a place of business at 29 Hartwell Avenue, Lexington, MA 02421, ASSIGNEE is desirous of obtaining our entire right, title and interest in, to and under the said invention and the said application:

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to us in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, we, the said ASSIGNORS, have sold assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said ASSIGNEE, its successors, legal representatives and assigns, our entire right, title and interest in, to and under the said invention, and the said United States application and all divisions, renewals and continuations thereof, and all Patents of the United States which may be granted thereon and all reissues and extensions thereof; and all applications for industrial property protection, including, without limitation, all applications for patents, utility models, and designs which here before or may hereafter be filed for said invention in any country or countries foreign to the United States including but not limited to Canada, Japan, Australia, Mexico, Singapore, India, and all EPO countries, together with the right to file such applications and the right to claim for the same the priority rights derived from said United States application under the Patent Laws of the United States, the International Convention for the Protection of Industrial Property, or any other international agreement or the domestic laws of the country in which any such application filed, as may be applicable; and all forms of industrial property protection, including, without limitation, patents, utility models, inventors' certificates and designs which may be granted for said invention in any country or countries foreign to the United States and all extensions, renewals and reissues thereof;

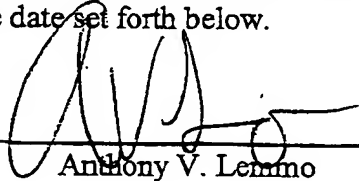
AND WE HEREBY authorize and request the Commissioner of Patents and Trademarks of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents or other evidence or forms of industrial property protection on applications as aforesaid, to issue the same to the said ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND WE HEREBY covenant and agree that we have full right to convey the entire interest herein assigned, and that we have not executed, and will not execute, any agreement in conflict herewith.

AND WE HEREBY further covenant and agree that we will communicate to the said ASSIGNEE, its successors, legal representatives and assigns, and facts known to us respecting said invention, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing, reissue and foreign application, make all rightful oaths, and generally do everything possible to aid the said ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper protection for said invention in all countries.

IN TESTIMONY WHEREOF, We hereunto set our hands and affixed our seals the date set forth below.

1)

  
Anthony V. Lemmo

4/17/03

Date

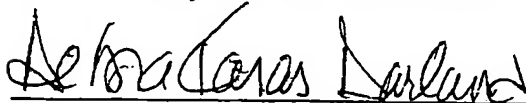
State of Massachusetts )

County of Middlesex )

ss.:

On this 17<sup>th</sup> day of April, 2003, before me, Debra Karen Darland Notary Public, personally appeared Anthony V. Lemmo, personally known to me or proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.



Signature of Notary Public

Commission Expires: March 15, 2007